

Exhibit 10

to

Defendant's Motion to Dismiss

MG-2129

Area Realty Officer
Sacramento Area Office

March 10, 1971

Riverside Area Field Office

In reply refer to:
Real Prop. Mgmt.
312-Santa Ysabel
312-Mesa Grande

Executive Order No. 4297, August 27, 1925 -
Mesa Grande Indian Reservation

Reference is made to the subject Executive Order, copy attached.

Further reference is made to the Act of May 10, 1926 (44 Stat. 496)
(Public Law-No. 200-69th Congress) Senate Bill No. 2706, copy attached.

The Executive Order temporarily withdrew an ^{acre} 80 parcel of land described as the W $\frac{1}{2}$ SW $\frac{1}{4}$ Section 11, T. 12 S., R. 2 E., SEM, California, for the Mesa Grande Reservation known also as Santa Ysabel Reservation No. 1.

As you are aware, there is a Mesa Grande Band of Mission Indians and a Mesa Grande Reservation separate from the Santa Ysabel Band of Mission Indians and the Santa Ysabel Reservation. Although from the days of the establishment of the Santa Ysabel Reservation, the Mesa Grande Band has used Santa Ysabel Tracts 1 and 2, and the Santa Ysabel Band has used Santa Ysabel Tract No. 3 based on custom and tradition.

The Mesa Grande Band feels the language of the Executive Order shows a clear intent that the land was withdrawn for them and not for the Santa Ysabel Band. Unfortunately, the Act of May 10, 1926 managed to confuse the issue by giving two names to the land. However since the Indians of the Mesa Grande Reservation, "known also as Santa Ysabel Reservation Number 1", have always been members of the Mesa Grande Band, the Mesa Grande Band feels this is further evidence that the 80 acres should be added to their 120 acres and deleted from the acreage total of the Santa Ysabel Reservation.

We are seeking clarification as to which reservation the parcel should be carried. It is requested that steps be taken to locate the report accompanying Senate Bill No. 2706 dated May 10, 1926 in an effort to obtain information to assist in determining ownership.

(SGD) LINDA V. COE

fr
Frank L. Haggerty, Jr.
Acting Area Field Representative

Attachments

Desk file copy - RPM
WGiannelli/al